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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,249

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Ramiro Liscano

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EXAMINER

MOUZON, LAJUANIA N

ART UNIT

PAPER NUMBER

2153

MAIL DATE

DELIVERY MODE

07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/759,249	Applicant(s) LISCANO, RAMIRO	
	Examiner La Juania N. Mouzon	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Applicant's Amendment filed 3/13/2008.

Claims 1-13 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 6, 7, 8, 12, 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Lansio et al. (US PGPub 2003/0008640).

4. In regards to claim 1 Lansio et al. discloses, a method for providing local information about a network portal (**Fig. 4 #420**) to a destination server (**Fig. 4 #412**), comprising:

- a. creating a message containing substitutable variables and addressed to said destination server (**fig. 5 #500-502, ¶0041 line(s) 13-26**);
- b. sending said message (**fig. 5 #504, ¶0041 line(s) 27-29 ¶0042 line(s) 1-3.**);

- c. receiving said message at said network portal (**fig. 5 #506, ¶0042 line(s) 1-3.**);
 - d. detecting said substitutable variables in said message (**fig. 5 #506, ¶0044 line(s) 1-3.**);
 - e. amending said message at said network portal in response to detecting said substitutable variables by replacing said substitutable variables in said message with said local information (**fig. 5 #506-510, ¶0044 line(s) 3-6, ¶0049 line(s) 2-4.**); and
 - f. sending amended message to said destination server (**fig. 5 #512, ¶0049 line(s) 3-5.**).
5. In regards to claims 2 and 8 Lansio et al. discloses, wherein said message and said amended message are formatted according to a text-based Internet protocol (**¶0049 line(s) 10-14, teach the connection being used is an Internet connection, using the IIOP protocol. Therefore by definition IIOP protocol supports transmission of text-based messages.**).
6. In regards to claims 6 and 12 Lansio et al. discloses, where said network portal is an Internet Appliance (**Fig. 4 #420, ¶0049 line(s) 12-14, ¶0050.**).
7. In regards to claim 7 Lansio et al. discloses, a network portal (**Fig. 4 #420**) configured to provide local information to a destination server (**Fig. 4 #412**), comprising:

- g. memory for storing said local information in association with a substitutable variable (**¶0044 line(s) 3-6, ¶0050.**);
 - h. a receiver (**fig. 4 #420**) for receiving a message, said message addressed to said destination server and consisting partly of said substitutable variable (**¶0042.**);
 - i. means for identifying said substitutable variable in said message (**fig. 5 #506, ¶0044 line(s) 1-3.**);
 - j. a processor (**fig. 4 #420, ¶0050**) for replacing said substitutable variable in said message with said local information from said memory, thereby creating an amended message (**fig. 5 #506-510, ¶0044 line(s) 3-6, ¶0049 line(s) 2-4.**); and
 - k. a transmitter (**fig. 4 #420**) for sending said amended message to said destination server (**fig. 5 #512, ¶0049 line(s) 3-5.**).
8. In regards to claim 13 Lansio et al. discloses, a method for providing local information about a network portal (**Fig. 4 #420**) to a destination server (**Fig. 4 #412**), comprising:
- l. receiving a message addressed to a destination server, at said network portal, said message containing substitutable variables and addressed to said destination server (**fig. 5 #504-506, ¶0041 line(s) 27-29 ¶0042 line(s) 1-3.**);
 - m. detecting said substitutable variables in said message (**fig. 5 #506, ¶0044 line(s) 1-3.**);

- n. amending said message at said network portal in response to detecting said substitutable variables by replacing said substitutable variables in said message with said local information (**fig. 5 #506-510, ¶0044 line(s) 3-6, ¶0049 line(s) 2-4.**); and
- o. sending amended message to said destination server (**fig. 5 #512, ¶0049 line(s) 3-5.**).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-5 and 9-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Lansio et al. (US PGPub 2003/0008640).

11. In regards to claims 3 and 9 Lansio et al. discloses, wherein said text-based Internet protocol is Hypertext Transfer Protocol (**¶0049 line(s) 10-14, teach the connection being used is an Internet connection, using the IIOP protocol, which supports transmission of text-based messages. However, Lansio et al. does not explicitly teach using HTTP. It would have been obvious to one of to one skilled in the art at the time of the invention to use a standardize protocol, such as HTTP,**

for transmission of messages, because it is reliable and scalable and provides a unified programming model in many environments.).

12. In regards to claims 4 and 10 Lansio et al. discloses, wherein said text-based Internet protocol is Session Initiation Protocol (**¶0049 line(s) 10-14, teach the connection being used is an Internet connection, using the IOP protocol, which supports transmission of text-based messages. However, Lansio et al. does not explicitly teach using SIP. It would have been obvious to one of to one skilled in the art at the time of the invention to use a standardize protocol, such as SIP, for transmission of messages, to be used in a telecommunication environment.).**

13. In regards to claims 5 and 11 Lansio et al. discloses, wherein said text-based Internet protocol is Simple Mail Transfer Protocol (**¶0049 line(s) 10-14, teach the connection being used is an Internet connection, using the IOP protocol, which supports transmission of text-based messages. However, Lansio et al. does not explicitly teach using SMTP. It would have been obvious to one of to one skilled in the art at the time of the invention to use a standardize protocol, such as SMTP, for transmission of messages, for sending and receiving email type messages.).**

Response to Arguments

14. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to La Juania N. Mouzon whose telephone number is 571-270-3045. The examiner can normally be reached on Monday - Friday 8:00-5:00, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Glenton B. Burgess/
Supervisory Patent Examiner, Art Unit 2153

LNM